

**Filed 12/8/16 by Clerk of Supreme Court  
IN THE SUPREME COURT  
STATE OF NORTH DAKOTA**

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2016 ND 233

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CHS Inc.,

Plaintiff and Appellee

v.

Roland Riemers,

Defendant and Appellant

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No. 20160131

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Appeal from the District Court of Grand Forks County, Northeast Central  
Judicial District, the Honorable Jon J. Jensen, Judge.

AFFIRMED AS MODIFIED.

Per Curiam.

Jon R. Brakke, P.O. Box 1389, Fargo, N.D. 58107-1389, for plaintiff and  
appellee.

Roland C. Riemers, P.O. Box 14702, Grand Forks, N.D. 58208.

**CHS v Riemers**

**No. 20160131**

**Per Curiam.**

[¶1] Roland Riemers appeals from a summary judgment awarding CHS \$38,763 as repayment for a check CHS mistakenly issued to Riemers on March 2, 2015 and awarding CHS prejudgment interest from the date the check was issued to entry of an amended judgment on May 24, 2016. We modify the amended judgment to allow prejudgment interest in the amount of \$2,834.65 from the date Riemers cashed the check on March 7, 2015, and as modified, we affirm under N.D.R.App.P. 35.1(a)(4) and (6).

[¶2] Gerald W. VandeWalle, C.J.  
Daniel J. Crothers  
Dale V. Sandstrom  
Lisa Fair McEvers  
Benny A. Graff, S.J.

[¶3] The Honorable Benny A. Graff, S.J., sitting in place of Kapsner, J., disqualified.